

**Amendment and Response**

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Serial No.: 10/032,357

Confirmation No.: 4965

Filed: December 21, 2001

For: METHODS FOR PLANARIZATION OF GROUP VIII METAL-CONTAINING SURFACES USING  
OXIDIZING GASES

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**Remarks**

The Office Action mailed January 4, 2005 has been received and reviewed. Claims 7, 15, 16, 17, 26, 30, 32, 34, 38, and 41 having been amended, the pending claims are claims 2-7, 9, 10, 12-22, 24-26, 30-43. Reconsideration and withdrawal of the rejections are respectfully requested.

The amended claims are fully supported by the originally filed specification, in particular, currently amended claims 15, 17, 26, 30, 32, 34, 38 and 41 are supported, for example, by page 8, lines 5-16, and currently amended claim 16 is supported, for example, by page 8, lines 1-4.

**Information Disclosure Statement**

A Supplemental Information Disclosure Statement was submitted by Applicants on March 2, 2004. However, Applicants have not received an initialed copy of the 1449 form submitted with the Supplemental Information Disclosure Statement indicating that the listed documents were considered by the Examiner. For the Examiner's convenience, a copy of the 1449 form is attached as EXHIBIT A. Consideration of each of the documents listed on the attached 1449 form(s) is respectfully requested. Pursuant to the provisions of M.P.E.P. §609, Applicants further request that a copy of the 1449 form(s), marked as being considered and initialed by the Examiner, be returned with the next Official Communication.

**The 35 U.S.C. §103 Rejection**

The Examiner rejected claims 2-7, 9-10, 12-22, 24-26, and 38-40 under 35 U.S.C. §103 as being unpatentable over Beitel et al. (U.S. Published Patent No. 2002/0017063 A1) in view of Russell (U.S. Patent No. 6,395,194). This rejection is respectfully traversed.

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The Examiner rejected claims 30-31 and 34-37 under 35 U.S.C. §103 as being unpatentable over Beitel et al. (U.S. Published Patent No. 2002/0017063 A1) in view of Weast et al. ("CRC Handbook of Chemistry and Physics"). This rejection is respectfully traversed.

The Examiner rejected claim 14 under 35 U.S.C. §103 as being unpatentable over Beitel et al. (U.S. Published Patent No. 2002/0017063 A1) and Russel (U.S. Patent No. 6,395,194) and further in view of Bruxvoort et al. (U.S. Patent No., 5,958,794). This rejection is respectfully traversed.

The Examiner rejected claims 41-43 under 35 U.S.C. § 103 as being unpatentable over Beitel et al. (U.S. Published Patent No. 2002/0017063 A1) in view of Bruxvoort et al. (U.S. Patent No., 5,958,794). This rejection is respectfully traversed.

The Examiner rejected claims 32-33 under 35 U.S.C. § 103 as being unpatentable over Small et al. (U.S. Published Patent No. 2002/0111026 A1) in view of Weast et al. ("CRC Handbook of Chemistry and Physics") and Bruxvoort et al. (U.S. Patent No., 5,958,794). This rejection is respectfully traversed.

The amended claims, in particular as they relate to the claimed unexpected properties (e.g., to selectively remove the Group VIII metal-containing surface relative to materials containing other metals (e.g., BPSG or TEOS) at a selectivity ratio of at least 10:1, or at a selectivity ratio of about 20:1 to about 100:1, or to form a substantially defect-free surface), are not taught or suggested by any of these combinations of documents. Furthermore, there is no motivation to combine the cited documents to obtain the unexpected results recited in the amended claims. Even if there were a motivation, there is no expectation of success that such results would be obtained.

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OXIDIZING GASES**Summary**

It is respectfully submitted that the pending claims 2-7, 9, 10, 12-22, 24-26, 30-43 are in condition for allowance and notification to that effect is respectfully requested. The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

Respectfully submitted for  
Uhlenbrock et al.

By  
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April 4, 2005  
Date

By: Ann M. Mueting  
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**CERTIFICATE UNDER 37 CFR §1.8:**

The undersigned hereby certifies that the Transmittal Letter and the paper(s), as described hereinabove, are being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office, addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 4<sup>th</sup> day of April, 2005, at 3:20 pm (Central Time).

By: Sara E. OlsonName: Sara E. OLSON